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Case Docket No. 7120

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Date: September 24, 2003

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THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Re: Application of: Tinianov
Serial No.: 09/845,791
Filed: April 30, 2001
For: ACOUSTICAL CEILING TILES

Examiner: McCloud, Renata D.
Art Unit: 2837
Confirmation No.

Sir:

Transmitted herewith is/are the following document(s) related to the above-identified application:

<input checked="" type="checkbox"/> Acknowledgment of receipt card.	<input checked="" type="checkbox"/> Response to Office Action dated July 14, 2003.
<input type="checkbox"/> Declaration Under 37 CFR 1.132 of Richard Emil Kajander.	<input type="checkbox"/> Certified copy of Declaration & Power of Attorney (Attachment B).
<input type="checkbox"/> Substitute specification and abstract (Attachment C).	<input type="checkbox"/> 1 Sheet of Drawings (Attachment D).

Please extend the time for responding to the Office Action _____ () month(s) to _____

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Attorney



9/Response
(Y/E)
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MAIL STOP: AFTER FINAL

Brandon Dillan Tinianov

Group Art Unit: 2837

Application No.: 09/845,791

Examiner: McCloud, Renata D.

Filed: April 30, 2001

For: ACOUSTICAL CEILING TILES

September 24, 2003

RESPONSE TO FINAL OFFICE ACTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Final Office Action dated July 14, 2003, reconsideration and allowance is respectfully requested in view of the following remarks. Applicants appreciate the Examiners indication that the rejection under 35 U.S.C. §112 has been withdrawn.

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Rejection under 35 U.S.C. §103

In the Office Action, Claims 1, 2, and 4-7 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Haines et al. (5,824,973) in view of Le Masurier (3,858,676).

Claim 1 recites a system for improved sound absorption including a substrate of porous insulation material and a facing material attached to the substrate, wherein the total system resistance and the second air flow resistance of the facing material are of relatively low values. Claim 1 recites a total system air flow resistance of around between 900 to 1300 MKS Rayls. As acknowledged in the Office Action, Haines et al. does not teach a total system airflow resistance around between 900 to 1300 MKS Rayls. Instead, Haines et al. describes a total system air flow for the laminate of approximately 740 MKS Rayls. (Column 7, lines 25-28 of Haines et al.).

The Office Action states that Le Masurier teaches the total system air flow as claimed and cites the abstract and column 2, lines 35-54 of Le Masurier. The Office Action also sites

Example 13 of Le Masurier which includes a Cotton/Jute Canvas fabric and a perforated hardboard backing.

As described in the previous response, the flow resistances of the fabrics described in Examples 9-15 of Le Masurier are shown in column 3 of the chart. The fabric of Example 13 has a flow resistance of 405 MKS rayls. The total system airflow resistance is not specified. However, if the fabric of Example 13 of Le Masurier (405 MKS rayls) were combined with the glass fiber insulation substrate material of Haines et al. (360 MKS rayls) the resulting system would have an air flow resistance of 765 MKS rayls. Thus, combination of Haines et al. and Le Masurier with a total system airflow resistance of 765 MKS rayls does not teach or suggest the invention of claim 1 having a total system airflow resistance around 900 to 1300 MKS rayls.

The Office Action states at Page 4 that "the heavy textile front surface is the only component of the panel that is designated for absorption, therefore, 405 MKS Rayls is the total system airflow." This statement is not understood. However, even if a reference did teach a total system airflow of 405 MKS rayls, this does not meet the claimed range of a "**total system airflow resistance of around 900 to 1300 MKS rayls.**" Accordingly, none of the prior art teaches or suggests the combination of a substrate and a facing material with a total system resistance of around 900 to 1300 MKS rayls and a relatively low facing air flow resistance. Accordingly, Claims 1 and dependent Claims 2 and 4-7 are allowable.

Claim 2

Claim 2 recites the system of Claim 1 with a facing air flow resistance of around 100 to 500 MKS rayls. In addition to the arguments set forth above, the combination of Haines et al. and Le Masurier do not disclose a system with 1) facing air flow resistance of around 100 to 500 MKS rayls, and 2) a system airflow resistance of around 900 to 1300 MKS rayls as claimed. For this additional reason, Claim 2 is clearly allowable.

Reconsideration and allowance of the above-identified application are respectfully requested. In the event that there are any questions concerning this amendment or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution may be expedited.

Respectfully submitted,



Applicant's Attorney

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